

Order Statement of Work
Peer Review (without attribution) of the Scientific Findings in the
USFWS Review of Lead Exposure and Effects to Scavenging Birds

November 2013

1. Introduction/Background

Brief history of action:

The science regarding the exposure and effects of lead in the environment to birds, particularly species that scavenge on hunter-killed carcasses or offal piles, has received considerable attention from those examining the contribution of lead-containing ammunition. In response, we have undertaken an evaluation of the scientific uncertainty surrounding these issues to help elucidate the effects of lead ammunition to scavenging birds that are trust resources of the US Fish and Wildlife Service (Service). The report will synthesize the existing data regarding exposure and effects of lead to scavenging birds and assess the extent to which ammunition is a contributing factor. Given the long-term conservation implications of this review and its influential information, the report requires a formal, external, independent scientific peer review before distribution. If the report does not provide the best science-based information and analyses, any decisions or conservation actions based on this report may be less effective in the long-term conservation of migratory birds, bald and golden eagles, and endangered species such as the California condor.

This information is distributed solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. It has not been formally disseminated by the Service. It does not represent and should not be construed to represent any agency determination of policy. Until it is made public, no information from the *USFWS Review of Lead Exposure and Effects to Scavenging Birds* may be released by the contractor(s) without express written permission from the Service.

2. Description of Analyses/Service

The purpose of this review is to provide a formal, independent, external scientific peer review of the information in the *USFWS Review of Lead Exposure and Effects to Scavenging Birds* report. The document will be approximately 109 pages long. We will need peer review (draft) within 30 days. The report will synthesize the existing data regarding exposure and effects of lead to scavenging birds and assess the extent to which ammunition is a contributing factor. Where available, we have relied on peer-reviewed literature to help answer questions of science uncertainty, but have incorporated select cases of unpublished or grey literature that filled a significant data gap where peer-reviewed sources were not available. We would like peer reviewers to review this approach and assess the sufficiency of our conclusions regarding outstanding questions of scientific uncertainty and the contribution of ammunition to lead exposure in the species under consideration.

It is important that the peer review be conducted by independent qualified experts, independent of the FWS and the specific study that is being reviewed.

3. Methods, Protocols and/or Scientific Standards

The contractor(s) will provide 3-5 independent, unbiased, scientific reviews of the information in the *USFWS Review of Lead Exposure and Effects to Scavenging Birds* report. At least 3 reviews will be provided, with the fourth and fifth reviews being conducted at the discretion of the Service, depending upon funds available. Factors to be addressed include the scientific merit of the report's technical review, which provide the basis for its conclusions regarding the effects of lead exposure in scavenging birds from ammunition sources. The reviewers must ensure that any scientific uncertainties are clearly identified and characterized, and the potential implications of the uncertainties for the technical conclusions drawn are clear. Peer Reviewers will be advised that they are not to provide advice on policy. Rather, they should focus their review on identifying and characterizing scientific uncertainties.

The independent peer reviewers shall be experienced senior toxicologists, pathologists, or ecologists, who have previously conducted similar reviews or regularly provided reviews of research and conservation articles for the scientific literature. The contractor will be responsible for assigning an experienced, senior and well-qualified manager to lead this review and for the selection of 3-5 well-qualified, independent reviewers. The expertise of the reviewers shall include:

1. A DVM, or Ph.D. or in Environmental Toxicology, Environmental Science, Wildlife Ecology, or related field.
2. Demonstrated experience working in the field of avian toxicology or pathology.
3. Expert knowledge of the exposure and effects of lead to birds.
4. Experience as a peer reviewer for scientific publications.

Additionally, peer reviewers will be selected based on the following criteria:

- Independence: Reviewers will not be employed by the Service. Academic and consulting scientists should have sufficient independence from the Service, if the government supports their work.
- Advocacy: Reviewers will not be known or recognized for an affiliation with an advocacy position regarding the subject of this review.
- Conflict of Interest: Reviewers will not have any financial or other interest that conflicts with or that could impair their objectivity.

A list of the reviewers and their combined original review comments, without attribution shall be submitted to the Service. The Service will have an opportunity to seek clarification on any review comments through the contractor (Task 6), for a period of 10 days, starting no later than 30 days after the Service receives the report from the contractor.

The peer reviewers must consider and respond to the questions listed below, at a minimum, in their reviews.

1. Are the objectives of the *USFWS Review of Lead Exposure and Effects to Scavenging Birds* clearly stated and logical? Is the content of the report within the parameters of these objectives? If not, please identify the specific objectives that are unclear or illogical, or where content has strayed from the stated objectives.
2. Do the authors of the *USFWS Review of Lead Exposure and Effects to Scavenging Birds* draw the correct conclusions for each section of the report (see Discussion Points boxes), and are they supported by the material presented within that section? If not, please identify those that are not and the specifics of each situation.
3. Do the authors of the *USFWS Review of Lead Exposure and Effects to Scavenging Birds* draw reasonable and scientifically sound conclusions from the scientific information presented in the report? Are there instances in the report where a different but equally reasonable and sound scientific conclusion might be drawn that differs from the conclusion drawn by the Service and is supported by data in the literature? If any instances are found where that is the case, please provide the specifics of that situation.
4. Does the *USFWS Review of Lead Exposure and Effects to Scavenging Birds* base its interpretations, analyses and conclusions upon the best available science? If any instances are found where the best available science was not used, please provide the specifics of each situation.
5. Are there any seminal peer-reviewed scientific papers that the *USFWS Review of Lead Exposure and Effects to Scavenging Birds* omits from consideration that would enhance the scientific quality of the document, or contribute to alternate conclusions that are scientifically sound? Please identify any such papers.
6. Are there other potential threats to condors that are not addressed in this report that should be considered in the overall assessment of the condor recovery program?
7. Is the scientific foundation of the *USFWS Review of Lead Exposure and Effects to Scavenging Birds* reasonable and how can it be strengthened? Please identify any options to strengthen the scientific foundations.

In accordance with the agreement terms and Performance Work Statement, the contractor(s) is (are) reminded of the requirements to protect information and that services shall consist of unbiased assessments through proper management and enforcement of scientific integrity standards, to include conflict of interests. **This information is distributed solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. It has not been formally disseminated by the Service. It does not represent and should not be construed to represent any agency determination of policy. Until it is made public, no information from the USFWS Review of Lead Exposure and Effects to Scavenging Birds may be released by the contractor(s) without express written permission from the Service.**

4. Required Service (Work) Items - Task Line Item Numbers (TLIN): As described in the agreement's Performance Work Statement, paragraph 2B, the below TLINs are required in the performance of this requirement. The TLINs are different, but interrelated to the tasks listed in task/deliverable and payment schedule:

TLIN 001: Selecting for peer reviews or review panels, or for task orders to provide scientific support.

TLIN 002: Organizing, structuring, leading, and managing the scientific reviews and task order products.

TLIN 003: Managing and producing a final report/product.

TLIN 004: Responding to any follow-up questions from FWS on original review comments (not to exceed 7 consecutive days)

TLIN 005: Maintaining an official record for peer reviews or task orders.

5. Deliverables

The following deliverables are in addition to the agreement's Performance Work Statement paragraph 3, which states, "The Contractor shall provide the COR with three key deliverables: (1) Proposed Timeline, (2) Original and summarized scientific reviews, and (3) Complete Official Record."

There are no additional deliverables. However, the contractor will be required to respond to questions, inquiries, or other related requests after the contract expiration date, and final acceptance, as needed. These request(s) will be by the Contracting Officer Representative (in coordination with the Contracting Officer). Inquires or requests are limited to the products provided, and work performed under this contract (order). Responses include, but not limited to: phone calls, written responses, and/or meetings.

Review comments by the Contracting Officer Representative will be provided to the contractor via the Contracting Officer.

6. Task Schedule.

The period of performance shall not exceed the contract expiration date without a contract modification. In accordance with the terms of the contract, the contractor shall notify the Contracting Officer of any delays. Delays by the Government or Contractor

must be rectified by accelerating the next deliverable on a one to one basis (i.e., if the delay was 2 days then the next deliverable must be submitted 2 days early). Deliverables that fall on a holiday or weekend must be delivered on the first work day after the weekend or holiday. The period of performance (contract expiration date) includes all possible holidays or weekend deliveries:

TASK/DELIVERABLE	CALENDAR DAYSAFTER AWARD
Task 1: Contracting Officer and COR will provide access to materials needed for the review	1
Task 2: The contractor(s) shall review appropriate information that will assist in their review, including the _____ report.	7 (+3 days)
Task 3: The contractor(s) shall conduct a thorough, objective peer review of the _____ report.	20 (+ 5 days)
Task 4: The contractor(s) will provide 3 to 5 expert peer reviews (combined without attribution) and all applicable official records to the project manager	23 (+3 days)
Task 5: The project manager summarizes the individual peer reviews and prepares a summary report for the Service	26 (+3days)
Task 6: The project manager facilitates specific follow-up questions/answers between the Service and the reviewers, without attribution (task limited to a 7-day period, 26 days after delivering initial review comments to the Service).	30 (+ 3 days)
Task 6: Final report and official record is submitted to the Service	40 (+ 7 days)

7. Official Administrative Record

The preparation of an official administrative record is required.

8. Information Sources

List the key information sources and links.

- 9. Payment Schedule:** In accordance with and in addition to the agreement, the contractor will submit invoices via the Internet Payment Platform (IPP) (see agreement). Invoices that do not coincide with a deliverable shall be submitted with a brief status report (not to exceed 1 page). The status report will detail the period of performance, the services performed during the period, key personnel involved, and percentage of the task(s) complete, if other than 100%. Partial payment for task(s) that are not 100% complete will be paid in an amount up to, but not to exceed, 65% of the task's total cost. For instance, if the total cost of the project is \$100.00, 100% of task 2 related cost would be \$10.00. If task 2 is 75% complete, the invoice amount will not exceed 65% or \$6.50.

The payment schedule is as follows:

TASK/DELIVERABLE	% OF EFFORT & PRICE
Task 1: Contracting Officer and COR will provide access to materials needed for the review	0%
Task 2: The contractor(s) shall review appropriate information that will assist in their review, including the _____ review	10%
Task 3: The contractor(s) shall conduct a thorough, objective peer review of the _____ report.	30%
Task 4: The contractor(s) will provide their individual review, and all applicable official records to the project manager	0%
Task 5: The project manager summarizes the individual peer reviews and prepares a summary report for the Service.	20%
Task 6: The project manager receives follow-up questions from the Service on any review comment, obtains the reviewers reply and provides the reply comment, without attribution to the Service (limited to a 10-day period)	10%
Task 6: Final report and official record is submitted to the Service	30%
Total	100%

10. Points of Contact:

Contracting Officer's Representative (COR): Dr. Richard A. Coleman, who can be reached at 303-236-4443 or rick_coleman@fws.gov

Contracting Officer, Mr. Steve Gess. Mr. Gess's phone number is 303-236-4334 or email: steve_gess@fws.gov.

Project Leader: Nancy H. Golden, Ph.D., Environmental Contaminants Specialist U.S. Fish & Wildlife Service, (703) 358-2077, email: Nancy_Golden@fws.gov

11. List of Enclosures/Attachments

None

12. Evaluation Criteria (This paragraph will be deleted upon award)

This requirement will be awarded based on best value. Best value will take into consideration price (to include the level of effort applied to each major task), approach (to include the labor categories, TLINs applied to each major task, and the reviewer's resumes without the name of the reviewer (ecologist having performed similar reviews) (reference paragraph 3).

Price must detail cost in accordance with the agreement. The approach must include a detailed/ proposed schedule (timeline), and the disciplines/skill mix of reviewers. The approach should be no more than 2 pages (8 1/2" x 11", 12 point font), excluding information on costs. All contractors must propose three (3) to five (5) reviewers and indicate (separately) the additional cost for a fourth and fifth reviewer. Be sure to include the discipline/skills of all reviewers, without names of reviewer, ie, dates and titles of publications/presentations, without the reviewers name. The fourth and fifth reviewers are considered optional and subject to a determination by the Government and subject to the availability of funds.